CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

APRIL 1, 2008

INVOCATION:
Rev. Fr. Vaughn Winters of St. John Neumann Catholic Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Orach led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Orach, Patino, Zacarías, and Mayor Lavagnino

MEMBERS ABSENT
Councilmember Trujillo

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Director of Public Works/City Engineer Whitehead, Director of Utilities Sweet, Director of Recreation and Parks Posada, Director of Administrative Services Snodgrass, Planning Division Manager Woods, Police Chief Macagni, Fire Chief Ortiz, Community Programs Manager Coelho-Hudson, and Chief Deputy City Clerk Perez.

PROCLAMATION – FAIR HOUSING MONTH
Councilmember Zacarías read a proclamation declaring the month of April 2008 as "Fair Housing Month" in the City of Santa Maria and expressing the hope that this observance will assist in the continuance of equal housing opportunities for all residents of Santa Maria. The proclamation was accepted by Yvonne Cudney, Legal Aid Foundation, and Jeannie Class, Conflict Solutions Center.

PROCLAMATION – CHILD ABUSE PREVENTION MONTH
Councilmember Orach read a proclamation declaring the month of April 2008 as "Child Abuse Prevention Month" in the City of Santa Maria and encouraging all residents to become aware of and support local child abuse prevention programs. The proclamation was accepted by Punita Patel, North County Rape Crisis and Child Protection Center.

PROCLAMATION – SEXUAL ASSAULT AWARENESS MONTH
Councilmember Patino read a proclamation declaring the month of April 2008 as "Sexual Assault Awareness Month" in the City of Santa Maria and encouraging all residents to participate in the effort to eliminate sexual assault from the City. The proclamation was accepted by Punita Patel, North County Rape Crisis and Child Protection Center.

PROCLAMATION – KCOY'S SPRING FOOD DRIVE
Mayor Lavagnino read a proclamation declaring April 21 though May 21, 2008, as "KCOY'S Spring Food Drive" and encouraging all residents of the Santa Maria Valley to participate by collecting cans of food for donation to the Santa Maria Valley Foodbank. The proclamation was accepted by Lydia Pantazes, KCOY, Laurie Pipan, KCOY, and Kerry Main-Aller, Santa Barbara County Food Bank.

PUBLIC COMMENT
Larry Bargenquast spoke on behalf of the Minuteman Civil Defense Corps. He thanked the Council and staff for doing the research on 287(g) and asked that the City be put on the waiting list for the training. He also asked the Council to vote to suspend the farm worker van pool program as it was the growers' responsibility to provide transportation, not the City's.

Richard Dydell asked the Council to adopt a resolution supporting the H2B program. It was a program to bring in farm workers for short periods of time to work in the fields. He expressed concern about a minor knee operation at Marian Hospital for his wife costing $23,000 while an illegal alien was treated at the same time for free.

Sharon Knotts spoke regarding 287(g) and comments made at the last City Council meeting by Mayor Lavagnino and City Manager Ness. She explained that even though the City did not have a 72-hour holding facility, the Santa Barbara County jail in Santa Maria had a 96-hour holding facility. The Board of Supervisors recently voted on a plan to upgrade the current jail from a Type 1 to a Type 2 facility. She requested the City be put on the waiting list for the 287(g) training.

Barry Sigman spoke on the farm worker van pool program, and said it was rewarding bad behavior. The money should be spent for better purposes. He also spoke regarding the growing number of "roach coaches" in the City. They were all over the City and staying in one location all night long. He said they were a slap in the face of legitimate businesses.

Marty Mariscal spoke about the latest Grand Jury report which made the City look very favorable. A lot of capital projects that go on in this City were done without having to raise taxes. The NHIS program was not costing the citizens of Santa Maria any money; and, in fact, it was saving the residents tens of millions of dollars in costs to close the landfill. He also spoke about the sale of supplemental water. He said these two projects have had many critics in the City for a long time, and he was glad the Grand Jury found that they were viable projects. He commended the employees of the City for finding creative and innovative ways to generate revenue.

CONSENT CALENDAR
Councilmember Patino requested Items 3F & 3G be pulled for comment.

Councilmember Zacarías requested Items 3E & 3H be pulled for comment.

Item F – Assistance to Firefighters Grant.
Councilmember Patino commented that the Fire Department was applying for a $68,000 grant under the Department of Homeland Security Assistance to Firefighters Grant. The Fire Department planned to use the money to replace its wildland protection clothing and equipment.

Item E – Entertainment License for Santa Maria Harley Davidson.
Councilmember Zacarías stated she supported the Entertainment License for "Bike Night" at 2022 Preisker Lane. She wanted to give members of the audience an opportunity to speak on the item.

No one came forward to speak.

Item G – Seat Belt Compliance Grant.
Councilmember Orach commented this item was for a mini seat belt grant in the amount of $7,000 for the Police Department to enforce the seat belt law. He said he felt concerned when he saw children in a car that were not strapped in.

Item H – Public Library Signage Award
Councilmember Zacarías spoke about the public library being such a safe place for her when she was growing up. She commended staff for including in the report how the funding deficit for the library project was going to be addressed. She asked about the 3.3 percent budget reduction.

City Manager Ness explained that they were asking all the General Fund budgeted departments to try to reduce their total appropriations through the end of the fiscal year by 3.3 percent.

Consent Calendar Items A through H were approved on motion by Councilmember Zacarias, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Zacarias, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Trujillo
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of March 18, 2008, were approved as submitted.

C. WARRANTS
Warrant Nos. 140821 to 141140 in the amount of $2,412,901.91 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 135140, 136056, 139702, 140643, 140998, and 141015 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. ENTERTAINMENT LICENSE
Resolution No. 2008-41 was adopted approving an Entertainment License for Santa Maria Harley Davidson at 2022 Preisker Lane to allow live music and a barbecue on the first Thursday of each month from 6:00 p.m. to 9:00 p.m.

Resolution No. 2008-41 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN ENTERTAINMENT LICENSE FOR SANTA MARIA HARLEY DAVIDSON, 2022 PREISKER LANE.

F. GRANT APPLICATION
Resolution No. 2008-42 was adopted approving the Fire Department's submission of a Department of Homeland Security Assistance to Firefighters grant application for $68,000, authorizing the Fire Chief to sign documents associated with this funding on behalf of the City, and authorizing the Director of Administrative Services to receive and appropriate any funds awarded through the grant application.

Resolution No. 2008-42 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE SUBMISSION OF AN APPLICATION FOR ASSISTANCE TO FIREFIGHTER GRANT FUNDS.

G. SEAT BELT COMPLIANCE GRANT
Resolution No. 2008-43 was adopted authorizing the appropriation of $7,000 to be allocated to the Santa Maria Police Department under the provisions of the Office of Traffic Safety, California Seat Belt Compliance Campaign Program, in concert with the terms and conditions contained therein.

Resolution No. 2008-43 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROPRIATING FUNDING UNDER THE OFFICE OF TRAFFIC SAFETY'S CALIFORNIA SEAT BELT COMPLIANCE PROGRAM.

H. LIBRARY SIGN PACKAGE BID

Resolution No. 2008-44 was adopted awarding the bid and approving an agreement with Santa Margarita Construction Corporation for the Library Sign Package, Bid No. 2008/04, in the amount of $124,777, and approving the appropriation of funds from General Fund Reserves and Growth Mitigation Funds for the Library construction project.

Resolution No. 2008-44 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH SANTA MARGARITA CONSTRUCTION CORPORATION FOR PUBLIC LIBRARY SIGNAGE BID NO. 2008/04 AND APPROPRIATION OF FUNDS FROM THE GENERAL FUND RESERVES AND GROWTH MITIGATION.

BUSINESS RETENTION AND ATTRACTION LOAN

Mayor Lavagnino announced that this was a recommendation of Coastal Business Finance to fund a business loan in the amount of $200,000 to Nemrod J. and Katherine A. Chilcoat, dba Kleanerette Dry Cleaning and Laundry, located at 1529 South Broadway, under the Business Retention and Attraction Loan Program.

City Manager Ness requested this item be continued to a future Council meeting in order to address several questions that just came up.

Councilmember Orach moved to continue the item. Councilmember Patino seconded the motion. The motion carried unanimously.

CITY MANAGER'S REPORT

City Manager Ness reported on items for the April 15, 2008, City Council meeting including five public hearings for amendments to the General Plan Noise Element and corresponding Zoning Text amendments; amendments to the West Main Specific Plan; Community Development Block Grant and HOME Program allocations for 2008-09; water and sewer rate increases; and annual weed abatement program. Also, on the agenda will be a strategy for Area 9 Financing for the Specific Plan and Environmental Impact Report expenses.

City Manager asked Fire Chief Ortiz to report on the Emergency Alert Notification test on March 27th.

Chief Ortiz stated the initial test of the Community Alert and Notification System was determined to be 89.4 percent reliable. About 2.5 percent were determined to be bad numbers, and staff would work on a resolution of those numbers. Staff did find a possible glitch with the phone system in terms of peak system overload. Staff was confident that would be resolved. 83 percent of the successful deliveries were listened to by the recipients. Staff received a few comments regarding the Spanish message. The reason that everyone got the test message in English and Spanish was to reach everyone during the initial test call. It is the intent that the Spanish message would only be sent to those persons wishing to receive messages in Spanish. He said staff would be using Spanish media outlets to get the word out to people to register if they wanted to receive messages in Spanish. He commended the employees who worked on this project outside their normal duties.

Councilmember Zacarías congratulated Chief Ortiz. She asked how the City was going to communicate to people who needed to designate Spanish language.

Chief Ortiz explained that staff would be going to the next step in their outreach process and would be using the media pool that had been established to get the message out to residents, especially to the non-English speaking residents.

Councilmember Zacarías suggested signs be placed at the Administrative Services counter in English and Spanish and an insert be sent out with the utility bills.

Mayor Lavagnino asked how long it took to send the message out to everyone.

Chief Ortiz stated it took less than 20 minutes to send the 22,000 messages.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Orach announced that he and the Mayor would be welcoming the participants of the NARCOA NOW Speeder Run on the Santa Maria Valley Railroad on Saturday, April 5, 2008. The Pacific Southwest Rail Museum in San Diego would be bringing their restored Santa Maria Valley Railroad Railbus #9 to lead the excursion out of town. It has not run on SMVRR rails since it was sold in 1962. He also reported on attending the League of California Cities Channel Counties Division meeting in Morro Bay on March 28th.

Councilmember Zacarias reported that she attended the first Allan Hancock College Caesar Chavez Day Soccer Tournament on Sunday, March 30th.

Councilmember Patino reported that last Wednesday, Congresswoman Capps was in Santa Maria and was very complimentary on how Santa Maria City officials and City Council had acted aggressively regarding the Levee. On Thursday, Councilmember Patino attended the water and sewer workshop and was the only person present. She also talked about the Grand Jury Report on NHIS, and said she was really happy with the report.

Mayor Lavagnino reported that he attended the Cub Scouts "fly in" model airplane competition at the Maldonado Community Youth Center. He made about 200 sandwiches at the Marian Medical Center golf tournament on Saturday. He also talked about the long lines at the Department of Motor Vehicles and the need to move forward with the relocation of that facility.

CLOSED SESSION

Council recessed to Closed Session at 7:35 p.m. for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria; and Javier Bravo, Sr., et al. v. City of Santa Maria, et al., United States District Court, California Central District, Case No. CV06-06851 FMC.

Following the Closed Session, the following report was given:

Conference with Legal Counsel:

Santa Maria Valley Water Conservation District – Status report was given. No reportable action was taken.

Javier Bravo, Sr., et al. – Direction to staff was given.

ADJOURNMENT

There being no further business to come before the City Council at this time, Mayor Lavagnino declared the meeting adjourned at 8:09 p.m.

APPROVED

April 15, 2008
Date

Patricia A. Perry
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Patricia A. Perry
Chief Deputy City Clerk

S. S. Lavagnino
Mayor of the City of Santa Maria